

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHARLES A. WILLIAMS, #11061262,

Plaintiff,

v.

CRAIG WATKINS, *et al.*,

Defendants.

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Civil Action No. **3:14-CV-379-L**

ORDER

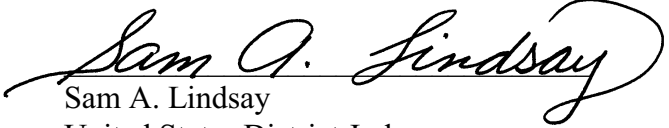
Plaintiff Charles A. Williams (“Plaintiff”) brought this action, asserting various civil rights violations and personal injury claims that allegedly occurred in conjunction with his prior arrest and detention and his ongoing state criminal proceeding. The case was referred to Magistrate Judge David L. Horan, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on August 26, 2014, recommending that the court abstain from exercising jurisdiction over Plaintiff’s claims for alleged wrongdoing in the ongoing state proceeding and dismiss with prejudice his remaining claims, pursuant to 28 U.S.C. § 1915(e)(2)(B), on immunity grounds and failure to state a claim on which relief may be granted. Plaintiff filed objections to the Report.

Having reviewed the pleadings, file, record in this case, objections, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, **accepts** them as those of the court, and **overrules** Plaintiff’s objections. Accordingly, the court **abstains** from exercising jurisdiction over Plaintiff’s claims for alleged wrongdoing in the ongoing state proceeding and **dismisses without prejudice** these claims. The court **dismisses with prejudice** Plaintiff’s

remaining claims for alleged civil rights violations and personal injury, pursuant to 28 U.S.C. § 1915(e)(2)(B), on immunity grounds and failure to state a claim on which relief may be granted.

The court **certifies** that any appeal of this action would not be taken in good faith and **denies** a certificate of appealability. *See* 28 U.S.C. § 1915(a)(3). In support of this finding, the court **adopts and incorporates** by reference the Report. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.21 (5th Cir. 1997). Based on the Report, the court finds that any appeal of this action would present no legal point of arguable merit and would therefore be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

It is so ordered this 6th day of October, 2014.


Sam A. Lindsay
United States District Judge